

REMARKS

The principal for the present application (“applicant”) appreciates the Examiner's attention to this application, and respectfully requests amendment and reconsideration of the application.

The Office Action rejects claims 1, 3-17, and 19-27. This response amends claims 1, 3, 6, 8, 12, 17, 19, 22, 24, and 26. This response also cancels claims 5 and 21. Claims 1, 3-4, 6-17, 19-20, and 22-27 are now pending, of which claims 1, 8, 12, 17, and 24 are independent.

35 U.S.C. § 101

The Office Action rejects claim 17 as allegedly being directed to nonstatutory subject matter. As suggested by the Office Action, this response amends claim 17 to recite that the machine accessible medium is “non-transitory.” For at least the foregoing reasons, this rejection should be withdrawn.

35 U.S.C. § 103(a)

The Office Action rejects claims 1, 3-5, 7-9, 11-15, 17, 19-21, 23-25, and 27 under Section 103(a) as allegedly being unpatentable over U.S. patent application pub. no. 2002/0052933 to Gerd Leonhard et al. (“Leonhard”), in view of U.S. patent no. 7,496,947 to Stephan Meyers (“Meyers”). In addition, the Office Action rejects claim 6, 10, 16, 22, and 26 under Section 103(a) as allegedly being unpatentable over Leonhard, in view of Meyers and U.S. patent no. 7,130,251 to Akihiro Morohashi (“Morohashi”). Applicant respectfully traverses these rejections, at least to the extent that they might be applied to the present claims.

This response moves details from claim 5 into claim 1, and further amends claim 1 to recite that “the multimedia content comprises at least one first title protected by a first digital right management (DRM) system and at least one second title protected by a different DRM system.” This response also amends claim 1 to recite that “the operation of accessing the multimedia content comprises using the first DRM system to access the first title and using the different DRM system to access the second title.” Furthermore, this response amends claim 1 to recite that “the first DRM system enforces protection policies that prevent the first title from being copied from the portable device and played by another user and that prevent the portable device from playing the first title after expiration of a predetermined period of time.”

This response also adds details to independent claims 8, 12, 17, and 24 pertaining to capabilities to use multiple different DRM systems, and to enforce protection policies that (a) prevent a title from being copied and played by another user and that (b) prevent the portable device from playing a title after expiration of a predetermined period of time.

The undersigned has been unable to find anything in Leonhard, Myers, or Morohashi that discloses or suggests the features described above. For at least the foregoing reasons, the Office Action fails to establish a prima facie case of obviousness for any of the independent claims.

In addition, the dependent claims implicitly include all of the features of their respective parent claims. Consequently, the Office Action fails to establish a prima facie case of obviousness for any of the claims, and all of the rejections under Section 103(a) should be withdrawn.

Conclusion

Applicant respectfully requests reconsideration of the present application in view of the remarks and amendments set forth above. If the Examiner has any questions or suggestions to expedite prosecution, the Examiner is encouraged to contact the undersigned at (512) 689-9380.

Applicant hereby requests a one-month extension of time, with the corresponding fee of \$130 to be charged to Deposit Account 50-4238. The Commissioner is also authorized to use deposit account to credit any overpayment and to charge any additional fees necessary for the filing of this response, including extension of time fees.

Respectfully submitted,

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